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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,778	12/27/2000	Constance Liu	9805	4051

7590 06/03/2004  
Constance Liu  
20397 Via Napoli  
Cupertino, CA 95014

EXAMINER
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LE, NHAN T

ART UNIT	PAPER NUMBER
2685	49

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/748,778

Applicant(s)

LIU, CONSTANCE

Examiner

Nhan T Le

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

This communication is responsive to an amendment filed on 03/17/04.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3, 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thayer et al (US 5,734,971) in view of Koenig et al (US 5,781,123).

As to claim 1, Thayer teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:  
an identification system including a plurality of remote devices of a keyless entry system for the vehicle wherein each remote device being capable of generating a uniquely-coded transmission for generating a first current driver identity (see fig. 1, number 16, col. 3, lines 16-24);

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 1, number 18, col. 3, lines 31-39);

a radio including memory for storing the preferred station information for storage (see fig. 1, number 20, col. 3, lines 54-65) and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred

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station information for storage (see fig. 1, number 14, col. 3, lines 43-54); Thayer fails to teach a preference means for receiving preferred station information for storage, and the preference means further receiving preferred station information for selection, tuning and the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity. Koenig teaches a preference means for receiving preferred station information for storage (see fig. 2, numbers 24, 29, col. 2, lines 34-42), and the preference means further receiving preferred station information for selection, tuning, the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 2, lines 45-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Koenig into the system of Thayer so that all radio memory functions do not have to be selected by different drivers.

As to claim 3, Thayer further teaches the radio system as claimed in Claim 1 wherein each remote device generates an identification transmission different from that of others (see col. 3, lines 16-24).

As to claim 5, Thayer teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:  
an identification system for generating a first current driver identity (see fig. 1, number 16, col. 3, lines 16-24);

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 1, number 18, col. 3, lines 31-39).

a radio including memory for storing the preferred station information for storage (see fig. 1, number 20, col. 3, lines 54-65) and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred station information for storage (see fig. 1, number 14, col. 3, lines 43-54); Thayer fails to teach a preference means for receiving preferred station information for storage, and the preference means further receiving preferred station information for selection, tuning and the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity. Koenig teaches a preference means for receiving preferred station information for storage (see fig. 2, numbers 24, 29, col. 2, lines 34-42), and the preference means further receiving preferred station information for selection, tuning, the control electronics being operatively configured to receive a

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second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 2, lines 45-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Koenig into the system of Thayer so that all radio memory functions do not have to be selected by different drivers.

As to claim 6, the combination of Thayer and Koenig further teaches the radio system as claimed in Claim 5 wherein the preference means includes a plurality of mechanical push buttons (see Koenig fig. 1, numbers 3, car radio, col. 2, lines 13-31).

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable Thayer et al (US 5,734,971) in view of Koenig et al (US 5,781,123) as applied to claim 1 above, and in further view of Andrews (US 6,236,350).

As to claim 2, the combination of Thayer and Koenig fails to teach the radio system as claimed in Claim 1 wherein each remote device has more than one trigger button wherein each button generates an identification transmission different from that of others. Andrews teaches the radio system as claimed in Claim 1 wherein each remote device has more than one trigger button wherein each button generates an identification transmission different from that of others (see col. 3, lines 35-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Andrews into the system of Thayer and

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Koenig in order to quickly and easily identify the stored reference code numbers (see col. 2, lines 39-40, as suggested by Andrews).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thayer et al (US 5,734,971) in view of Koenig et al (US 5,781,123) and in further view of the Applicant's Admitted prior art (see the present specification, page 6, lines 3-8).

Thayer teaches a radio system in a vehicle for allowing multiple drivers to store, select and tune to preferred radio stations, the radio system comprising:

an identification system including a plurality of remote devices of a keyless entry system for the vehicle wherein each remote device being capable of generating a uniquely-coded transmission for generating a first current driver identity (see fig. 1, number 16, col. 3, lines 16-24);

a vehicle micro-controller located in the vehicle and the vehicle micro controller being operatively coupled to the identification system for receiving the first current driver identity (see fig. 1, number 18, col. 3, lines 31-39);

a radio including memory for storing the preferred station information for storage (see fig. 1, number 20, col. 3, lines 54-65) and control electronics for preferred station information processing and for receiving the first current driver identity from the vehicle micro-controller and linking in the memory the first current driver identity to the preferred station information for storage (see fig. 1, number 14, col. 3, lines 43-54); Thayer fails to teach a preference means for receiving preferred station information for storage, and the preference means further receiving preferred station information for selection, tuning and the control electronics being operatively configured to receive a second current

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driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity. Koenig teaches a preference means for receiving preferred station information for storage (see fig. 2, numbers 24, 29, col. 2, lines 34-42), and the preference means further receiving preferred station information for selection, tuning, the control electronics being operatively configured to receive a second current driver identity from the identification system and further being configured to respond to the preferred station information for selection and tuning by selecting and tuning to the preferred station information for storage whose linked first current driver identity matching with the second current driver identity (see col. 2, lines 45-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Koenig into the system of Thayer so that all radio memory functions do not have to be selected by different drivers.

The combination of Thayer and Koenig fails to teach an identification system including a His/Her toggle switch located inside the vehicle for generating a first current driver identity; Applicant's admitted prior art discloses that an identification system including a His/Her toggle switch located inside the vehicle for generating a first current driver identity is known in the art (see page 6, lines 3-8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of the Applicant's Admitted prior art into the system of Thayer and Koenig in order to enhance system performance for identifying the driver identity.



***Response to Arguments***

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

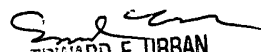
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T Le whose telephone number is 703-305-4538. The examiner can normally be reached on 08:00-05:00 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhan Le

  
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